

The Boston Globe

Survey Says Need For Legal Aid Vastly Increased in Last Decade

By Rhonda Stewart

Thursday, August 14, 2003

When she contacted a local legal aid program last fall, Lisa thought the worst was behind her. While still a teenager, she became pregnant with her first child and took night classes so she could graduate from high school on time. She had hoped to go to college but instead worked in a series of jobs, from store clerk to hotel housekeeper. During this period, she met her husband, who, she said, eventually became abusive, spurring her decision to raise her two young children on her own.

Lisa, who is in her 20s and asked that her real name not be used, sought legal aid for help while separating from her husband. Although she was told that her case was worthwhile, legal aid attorneys at the agency she approached couldn't help her because they already had a large number of cases.

Five months later, Lisa got a call saying that her case had been accepted.

"I attempted calling other lawyers, but they didn't even bother with me because I couldn't afford it," she said. "I was praying to God, 'Please let them take my case.' If they hadn't taken my case, I would've had no hope."

Although Lisa endured a delay in getting help, she fared better than many who couldn't be helped at all.

According to the latest Massachusetts Legal Needs Survey, the demand for legal aid assistance has doubled over the past decade, but more than half of the people surveyed said they did not get the help they needed to address their problems.

Researchers interviewed 2,000 low-income people and found that between October 2001 and October 2002, the percentage of people with a need for legal aid had doubled, to 67 percent, since the last survey, in 1993. Meanwhile, state aid has been cut for some agencies and level-funded for others.

Although some legal needs go unmet because people are afraid to seek help or don't know where to turn, advocates said a more troubling factor is that short-staffed programs don't have the resources to serve a growing clientele.

"Nobody wants to be turned away, and obviously the issues are serious," said Culah Pellegrini, who screens potential clients for the Boston College Legal Assistance Bureau in Waltham. "It's very difficult to do that, but sometimes we have no choice."

Nancy King, executive director of South Middlesex Legal Services in Framingham, said she is seeing an increasing need for the services her agency provides but her staff is stretched thin.

"We turn away at least one out of every two who call. I always say the hardest part of my job is saying no, not because you don't have meritorious claims or because you're low-income, but because we don't have the resources to help you," she said.

To qualify for legal aid, a family of four must have an income at or below 125 percent of federal poverty guidelines, which King said is approximately \$23,000 in Massachusetts. She added that there are more than 32,000 people who meet the income criteria for legal aid in the 36 towns her agency serves, which include Weston, Hudson, Sudbury, and Wrentham.

"I think that since the economy is failing, we've seen a lot more people. What we see a lot in the towns we cover is people who are newly poor," she said. "Sometimes I call them the 'nouveau poor.' It's hard to ask for help because they've never experienced this before."

Even those who aren't poor sometimes seek legal aid because of an unexpected financial loss.

Ezra Anderson said he lost a key source of income when the hot-dog stand he had operated in Boston's Newmarket Square for almost 30 years was destroyed in a fire.

His landlord was threatening to evict him from his Framingham apartment, but his legal aid attorney interceded and Anderson and his wife, Audrey, were able to keep their home.

"It was a godsend for us. It really saved our lives," she said. "They helped us tremendously and we could not have done this without them."

But the fate of legal aid programs looked bleak when Governor Mitt Romney vetoed their funding for the fiscal year 2004 budget. Lawmakers overrode the veto, but some of the largest programs, including Massachusetts Correctional Legal Services and the Mental Health Legal Advisors Committee were either level-funded or had their budgets cut by as much as 30 percent from the previous fiscal year.

Lonnie Powers, executive director of the Massachusetts Legal Assistance Corp., said that although legal aid programs rely on private donations for some funding, the money they receive from the state is crucial. Romney's veto would have meant a loss of \$7.5 million. Some of the money for local legal aid comes through the Massachusetts Legal Assistance Corp., and many programs, including Greater Boston Legal Services and the Harvard Legal Aid Bureau, serve western suburban residents.

Powers said that for low-income residents, legal aid is often their only option in dealing with difficulties such as housing disputes, lack of health care, or employment

discrimination.

He pointed out that the same is true in this area, despite its affluent reputation.

"I hear stories over and over again of individuals and families who have played by the rules. They may have been poor all of their lives or middle class. They're trying their best to dig themselves out of a financial hole but, without a lawyer, they have very little chance of succeeding," he said.

"In some ways, it's harder for low-income people in the western suburbs because they're invisible."